



City of Freeport
REGULAR COUNCIL MEETING
6:30 p.m./Council Chambers/Freeport City Hall
May 24, 2018 Minutes

I. Meeting Opened

The May 24, 2018 Regular Council Meeting was called to order at 6:30 p.m. by Mayor Russ Barley. The meeting was held in City Council Chambers of Freeport City Hall.

Council Members present: Mayor Russ Barley, Councilwoman Elizabeth Brannon, Councilwoman Kasey Cuchens, Councilman Eddie Farris, Councilwoman Amanda Green, and Councilman William “Boots” McCormick

Staff present: City Clerk Rebecca Podraza, City Attorney Clay Adkinson, Finance Officer Sara Bowers, Billing Supervisor Jennifer Douglas, Water Supervisor Larry Tuggle, Sewer Supervisor Robert Fawcett, Parks Director Charles Simmons, Planning Director Latilda Hughes-Neel, Planning Technician Elizabeth McCombs, City Engineer Cliff Knauer, City Engineer Alex Rouchaleau, and City Engineer William Menadier.

II. Invocation and Pledge of Allegiance

The invocation was given by Councilwoman Cuchens, followed by the Pledge of Allegiance to the American Flag.

III. Recognition of Guests

Mayor Barley recognized Ms. Shantelle Dedicke, President of Frances Roy Marketing Firm

IV. Frances Roy Marketing Presentation

Ms. Shantelle presented the marketing design for the Freeport 331 Economic Development Brand Identity Project which has been funded by Enterprise Florida Co-Op Marketing Program. Council discussion ensued, and Ms. Shantelle will provide an updated design that incorporates the suggestions and ideas provided by Council.

V. Public Request for Placement on City Council Agenda

1. Walton/Okaloosa Council on Aging
 - Ms. Kay Brady, the Director of the Walton/Okaloosa Council on Aging, presented the Department of Elder Affairs Dementia Care & Cure Incentive brochure. The agency is requesting the brochure to be inserted into the Customer Bills for one billing cycle. Due to the conversion of the new billing system, staff is unable to calculate the cost. This item will be added to the June 28th Agenda for a waiver of fees request when a cost estimate can be presented.

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In accordance with Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the City Clerk's office at 850-835-2822 by 5:00 p.m. on the day prior to the meeting.

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VI. Public Comment on Consent Agenda: None

VII. Approval of Consent Agenda

1. Revenue and Expenditures for April
2. Bills Paid
3. April 26, 2018 Regular Council Meeting Minutes
4. May 8, 2018 Regular Council Meeting Minutes
5. May 8, 2018 Workshop - SRF Grant
6. May 8, 2018 Special Meeting – Forensic Audit Contract

Council Action: Councilman Farris made a motion to approve the Consent Agenda as presented. Councilman McCormick seconded the motion. All ayes, (Brannon, Cuchens, Farris, Green, McCormick); motion carried.

VIII. Consideration of Additions/Deletions to Agenda
Additions

- New Business – Joint Meeting with Walton County Board of County Commissioners
- Engineering – Waste Water Treatment Plant Proposal

~~Deletions:~~ None

IX. Approval of Agenda with Additions/Deletions

Council Action: Councilwoman Cuchens made a motion to approve the Agenda with specified Additions and ~~Deletions~~ as presented. Councilwoman Brannon seconded the motion. All ayes, (Brannon, Cuchens, Farris, Green, McCormick); motion carried.

X. Staff Reports

A. City Clerk Matters

1. Portland Storage Facility Rental
 - Clerk Podraza requested Council approval to rent a second storage unit for 30 days. Staff will be purchasing or building shelving for the new unit. Staff will be moving all the documents from the old unit into the new unit. Boxes are stacked on of each other and being crushed. This process will resolve the issue and save the integrity of stored records.

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Council Action: Councilwoman Cuchens made a motion to approve the rental of a second storage unit at Portland Self Storage for City records for 30 days. Councilwoman Brannon seconded the motion. All ayes, (Brannon, Cuchens, Farris, Green, McCormick); motion carried.

B. Finance Department: None

C. Planning & Zoning Dept.

1. Ordinance/1st Reading – Citizen Board Quorum

Council Action: Councilman Farris made a motion to approve the first reading and advertisement of the Ordinance amending the Freeport Land Development Code; to provide for revisions to Article 2, Section 2.03.03 (A)(2)(d); providing for authority and purpose, conflict severability, and an effective date. Councilwoman Cuchens seconded the motion. All ayes, (Brannon, Cuchens, Farris, Green, McCormick); motion carried.

2. Brown Variance Request

- City Planner Latilda Hughes-Neel presented a variance request and site plan from Loma Mae Brown. The Browns are requesting permission to add a residence, in addition to Ms. Loma Mae Brown's and her son Mack's residence. They would like to add a residence for her grandson Ryan. Staff has reviewed the request and recommends approval to allow the addition of a single-family dwelling on the property.

Council Action: Councilman Farris made a motion to approve the Brown Variance request and site plan. Councilwoman Brannon seconded the motion. All ayes, (Brannon, Cuchens, Farris, Green, McCormick); motion carried.

3. Request for Funds Transfer

- City Planner Latilda Hughes-Neel presented a request for a transfer of funds, from the Planning and Zoning Department to the Parks Department, for sidewalks and landscaping. The money was collected for an allowable sidewalk buyout for North Shore Mini-Storage, in the amount of \$3,723.00, and from a Protected Tree Mitigation for Lot 4-A Blk 23 Town of Freeport, in the amount of \$1,762.00, for a total of \$5,485.00. Council discussion ensued.

Council Action: Councilwoman Green made a motion to approve the transfer of funds from the Planning and Zoning Department to the Parks Department, to be earmarked for sidewalks and

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landscaping, for a total amount of \$5,485.00. Councilman Farris seconded the motion. Two (2) ayes, (Green, Farris); three (3) nays, (Cuchens, Brannon, McCormick); motion failed.

4. Developer Maintenance Agreements for Water/Sewer
 - City Planner Latilda Hughes-Neel requested permission for Staff to work with the City Attorney, to draft a Developer Maintenance Agreement for Water/Sewer, outlining responsibilities of the City and of the Developer.

Council Action: Councilwoman Cuchens made a motion to approve Staff to work with the City Attorney, to draft a Developer Maintenance Agreement for Water/Sewer. Councilwoman Brannon seconded the motion. All ayes, (Brannon, Cuchens, Farris, Green, McCormick); motion carried.

5. Request to set Workshop for Tuesday, June 12, 2018 at 1:00 p.m. for WFRPC to present draft Workforce Housing Guidelines.

Council Action: Councilwoman Cuchens made a motion to approve a Workshop regarding the Workforce Housing Guidelines, for Tuesday, June 12, 2018 at 1:00 p.m. Councilwoman Green seconded the motion. All ayes, (Brannon, Cuchens, Farris, Green, McCormick); motion carried.

6. Request for sidewalk to be installed between employee parking area behind Community Center and the employee rear entrance of City Hall.

Council Action: Councilwoman Cuchens made a motion to approve Staff, to investigate a project rendering and cost quote, to install a sidewalk from the parking lot behind the City Community Center, to the North employee entrance of City Hall. Councilwoman Green seconded the motion. All ayes, (Brannon, Cuchens, Farris, Green, McCormick); motion carried.

D. Parks Department

1. Update on meeting with Recreation Board
 - Parks Director Charles Simmons and City Planner Latilda Hughes-Neel met with the Recreation Board at the Freeport Sports Complex on May 8, 2018. Director Simmons briefed the Council on the following items that were discussed by the Parks & Recreation Board:
 - Speed Bump
 - Splash Pad
 - Concession Stand/Storage

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- Restrooms on West Side of Park
- 2. Freeport Regional Sports Complex current and future improvements
 - Parks Director Charles Simmons addressed the Council on the following:
 - Resurfacing Project for Basketball Courts Complete
 - Resurfacing Project for Tennis Courts in Progress
 - Vinyl Fencing Project at City Hall Complete
 - Pool Opening May 25, 2018 at 12:00 p.m.
 - Trails Grant Update
 - Sidewalks
 - Multi-Purpose Field Closed until June 4th

E. Legal Matters: None

F. Engineering

1. SRF Water and Wastewater Planning Report
 - City Engineer Alex Rouchaleau presented the State Revolving Fund Water and Wastewater Planning Study Report Presentation.
2. SRF Resolution

Council Action: Councilman McCormick made a motion to approve Resolution No. 2018-06, relating to the Florida Department of Environmental Protection (FDEP) State Revolving Fund (SRF), adoption of the Water and Wastewater Facility Plans, for the Implementation of the Phase 1, U.S. 331 Corridor Utility Improvements. Councilman Farris seconded the motion. All ayes, (Brannon, Cuchens, Farris, Green, McCormick); motion carried.

3. Support for Walton County 331 Corridor Planning Document and grant application
 - City Engineer Rouchaleau requested approval to provide the County with the City of Freeport's Planning Documents, regarding the 331 Corridor and grant application. Council discussion ensued.

Council Action: Councilwoman Cuchens made a motion to provide the County with the Freeport 331 Corridor Planning documentation requested. Councilman McCormick seconded the motion. Two (2) ayes, (Cuchens, McCormick); three (3) nays, (Brannon, Farris, Green); motion failed.

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4. Lagrange Park Update
 - Engineer Knauer updated the Council on the project plans for Lagrange Park. No action was taken by the Council on the project.
5. Brandon Oaks Sewer Improvements 2018 CEI Proposal
 - Engineer Knauer presented the Brandon Oaks Sewer Improvements 2018 CEI proposal, for professional construction and engineering inspection services for the Brandon Oaks Sewer Improvements project.
 - Knauer advised the Council that the Notice of Award has been issued to H & T Construction. The fifty-four (54) services are to be installed by two (2) crews. Full-time inspection of the project will need to be on-going throughout the project.

Council Action: Councilwoman Cuchens made a motion to approve the Brandon Oaks Sewer Improvements 2018 CEI Proposal, as presented by Dewberry, for a lump sum amount of \$37,565.00. Councilwoman Green seconded the motion. All ayes, (Brannon, Cuchens, Farris, Green, McCormick); motion carried.

6. Brandon Oaks Forcemain/Watermain
 - Engineer Knauer presented waterline improvement recommendations for Brandon Oaks. Council previously authorized Engineering to implement water line improvements in Brandon Oaks and the survey and design have been completed for the City to move forward.
 - A three-hundred-foot section of six-inch water main has been discovered, which was never tied in the way it was designed and permitted, by the original developer.
 - Engineering Staff and Water Supervisor Larry Tuggle will be meeting with H & T Construction to discuss costs to complete this connection as originally designed and permitted. This is a small effort to make a significant difference in water pressure inside the subdivision.
 - Sewer Supervisor Fawcett identified a forcemain which was also installed by the original contractor. Cost estimates will also be requested from H&T for a new two-inch forcemain.
 - Cost estimates will be brought back to the Council. No action taken on this item.
7. Splash Pad at Hammock Bay Regional Sports Complex
 - Engineer Knauer presented the Sports Complex Splash Pad preliminary site plan. Staff recommends preparing an RFP with a dollar amount specified for the Splash Pad.

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- A block wall and bench area for seating will be constructed with in-kind funds from the City. Parks Director Simmons would like to start moving forward with this part of the project.

Council Action: Councilman Farris made a motion to approve Staff to prepare and advertise an RFP Package for the Splash Pad. Councilman McCormick seconded the motion. All ayes, (Brannon, Cuchens, Farris, Green, McCormick); motion carried.

Council Action: Councilman Farris amended his motion, to approve Staff to prepare and advertise an RFP Package for the Splash Pad, to include a budgeted amount of \$100,000.00 for the project. Councilman McCormick amended his motion. Council discussion ensued.

Council Action: Councilman Farris amended his amendment, to approve Staff to prepare and advertise an RFP Package for the Splash Pad to include a budgeted amount of \$100,000.00, and to include ADA Compliance language in the RFP. Councilman McCormick seconded the motion. All ayes, (Brannon, Cuchens, Farris, Green, McCormick); motion carried.

Council Action: Councilman Farris made a motion to approve Parks Director Simmons to proceed with the block wall and seating area of the site plan for the Sports Complex. Councilwoman Brannon seconded the motion. All ayes, (Brannon, Cuchens, Farris, Green, McCormick); motion carried.

8. WWTP Proposal

- Engineering presented Professional Service Fees proposal for the Waste Water Treatment Plant.

Council Action: Councilman McCormick made a motion to table the Waste Water Treatment Professional Service Fee proposal in the amount not to exceed \$10,000.00 to the next Council Meeting. Councilwoman Green seconded the motion. Council discussion ensued.

Council Action: Councilman McCormick withdrew his motion. Councilwoman Green withdrew her second.

Council Action: Councilwoman Brannon made a motion to approve the Waste Water Treatment Plant Proposal for Professional Services in the amount of \$10,000.00. Councilwoman Cuchens seconded the motion. All ayes, (Brannon, Cuchens, Farris, Green, McCormick); motion carried.

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G. Water Dept.: None

H. Sewer Dept.: None

XI. Old Business

1. Walton County Joint Meeting

Council Action: Councilwoman Brannon made a motion for the Mayor to confirm the date of June 13, 2018 and request a time from the Walton County Board of County Commissioners for the joint meeting. Councilman Farris seconded the motion. All ayes, (Brannon, Cuchens, Farris, Green, McCormick); motion carried.

2. Forensic Audit Letter of Engagement

- The Engagement Letter from the Marcum Advisory Group was presented to Council. Attorney Adkinson reviewed his recommendations for changes that need to be made. Council discussion ensued.

Council Action: Councilwoman Brannon made a motion to approve the Letter of Engagement, subject to legal review and revision, as well as change the number of days from twenty (20) to thirty (30) in the second paragraph of Page 4 of the letter, which states:

In the event that the City of Freeport, Florida fails to dispute any of our statements of amount due within twenty (20) days of receipt of same, Marcum shall be entitled to assume and rely upon the fact that the City of Freeport, Florida has accepted the obligation to pay such statement in its entirety.

Councilwoman Green seconded the motion. Council discussion ensued.

Councilwoman Cuchens stated that she reviewed the 2013 and 2014 Audits because there had been an implication that the City had lost a million dollars of revenue. The 2014 Audit clearly indicates that the City lost revenue. The Audit specifically states that it was due to a reduction in funding by Walton County in the amount of \$260,000.00 for the Fire Department, and discontinuance of the FCS (Regional Utilities) Option revenue of \$450,000.00. This is a total reduction of \$710,000.00 in revenue that the City took in 2014. Councilwoman Cuchens asked if there could be any consideration, to take the time and go back to review the Audits with the City Auditor, to see if most of the questions could be answered before expending the money for the forensic audit.

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Mr. Bob Mims addressed the Council regarding the discussion at the FRS Workshop regarding the Walk-Before-We-Run concept that was discussed. Mr. Mims respectfully asked the Council to consider identifying the scope of work relative to the Walk-Before-We-Run concept, and provide the firm with a bench mark, to keep them from moving forward without authorization from the Council. Mr. Mims also requested the Council review the past audits and reconsider the Forensic Audit.

Councilwoman Green addressed the Walk-Before-We-Run understanding. In a phone conversation with the Firm, it was her understanding that the phases led to points of stoppage and discussion with Council about what was occurring, and if the City were going to move forward or not. Maybe this needs to be made clear in the agreement.

Councilwoman Brannon referred to Page 2 of the agreement which reads: *After these Phases are completed, there will be a meeting with the City to review the findings and discuss whether the other fiscal years should also be reviewed.* It is Councilwoman Brannon's understanding that after each Phase, the Firm would then go before the Council. Councilwoman Brannon can amend the motion to clarify that after each Phase, the Council has the right to stop the audit. City Attorney Adkinson advised the motion does not need to be amended and he will request a provision be included in the letter.

The City Attorney will send the letter back to the Firm with all the changes that need to be made. A clean document will be brought back to the Council for approval.

Three (3) ayes, (Brannon, Farris, Green); two (2) nays, (Cuchens, McCormick); motion carried.

2. Boardwalk Designs Proposal – Welcome Signs

Council Action: Councilman Farris made a motion to approve the Welcome Signs Proposal/Contract for a total amount of \$14,595.00. Councilman McCormick seconded the motion. Council discussion ensued.

Councilwoman Brannon thought that the signs would read, Welcome to the City of Freeport, not just Welcome to Freeport. Engineer Menadier will take care of having that added to the rendering of the signs and will bring it back to the next meeting.

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Councilman Farris withdrew his motion. Councilman McCormick withdrew his second.

3. Fountain Triangle

- Mayor Russ Barley advised that a decision needs to be made regarding the fountain at the triangle. Currently the project has been stopped and Mayor Barley asked how the Council would like to proceed.
- Councilwoman Cuchens stated that there has been a lot of misinformation on Social Media and that the Council took good action at the last meeting. Councilwoman Cuchens also stated that clarification needs to be made about the project as well and she would like the process to be done in good accord and involve the public. Councilwoman Cuchens did not appreciate the Social Media activity following the last meeting.
- Mayor Barley advised that he has paid all the bills for the Triangle out of his own money since the project was disapproved by Council and stopped. The columns have not been removed; the Mayor is waiting for direction from the Council.
- Councilwoman Cuchens suggested a Workshop be scheduled so that the public will have input.
- Councilwoman Brannon's concern is the safety issue with the columns being poured concrete, rebar enforced and being so close to the side of the road. The disapproval from the County sites, FDOT Standard Index 700 establishes the clear zone as 18' for travel lanes with design speeds of less than 45 MPH. The proposed columns fall within that clear zone. Therefore, it was disapproved based on an FDOT Index. The BCC approved right of way policy, does not allow staff to vary from the policy.
- Councilwoman Brannon stated the fall out on social media after the last meeting was terrible. This is not a united front and it's not what Freeport is about. Councilwoman Brannon feels the Council needs to move on. The columns are a DOT issue and they should be removed based on the disapproval letter.
- Janice McLean approached the podium to comment further on the fountain, the Community Center and social media.
- Councilwoman Cuchens stated that she would like the Engineers involved and public input to figure out what the City can do for something that is appropriate for the City in keeping with the new branding and the current logo and with what the City is working on with 331 Logo. Councilwoman Cuchens also believes that the columns need to be taken down.
- Councilwoman Green commented that with the marketing logo for 331, the Welcome Signs, and the fact that the City is moving forward with new City Branding, it would be a good idea to bring the public in and to form a Marketing Board to help with these

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decisions. Council discussion ensued.

- Councilwoman Cuchens recommended that maybe a Marketing Board could be appointed. Council discussion ensued.

Council Action: Councilwoman Cuchens made a motion to schedule a Special Meeting regarding marketing on June 12, 2018 at 6:00 pm. Councilwoman Brannon seconded the motion. All ayes, (Brannon, Cuchens, Farris, Green, McCormick); motion carried.

Council Action: Councilwoman Cuchens made a motion to have the Fountain Columns removed. Councilwoman Brannon seconded the motion. Four (4) ayes, (Brannon, Cuchens, Green, McCormick); one nay, (Farris); motion carried.

4. Approve Payment - Vendor 2054
 - This payment will be refunded to the City, no action is necessary.
5. Pending List
 - Clerk Podraza presented the Pending List.
 - Attorney Adkinson updated the Council on the Code Enforcement & Animal Control interlocal Agreement with the County.

XII. New Business

A. City Hall Paint Estimates

- The Mayor presented three quotes for painting. Council discussion ensued. Council directed Staff to request quotes for painting the whole building rather than just the front. The Mayor will bring the new quotes back to the next meeting. No action needed.

B. Mayor Russ Barley

- Mayor Barley advised the Council that City Hall will be closing at 12:00 p.m. on May 24th for mandatory staff training on the new City Billing System.

Council Action: Councilman McCormick made a motion to post notice to close the City Hall Billing Department at 12:00 p.m. on May 24, 2018 for mandatory Staff training on the Billing System. Councilman Farris seconded the motion. All ayes, (Brannon, Cuchens, Farris, Green, McCormick); motion carried.

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C. Councilwoman Brannon: None

D. Councilwoman Cuchens

1. Spending Authority

- Councilwoman Cuchens requested clarification on the Spending Authority policy. Council discussion ensued. No action taken.

E. Councilman Farris: None

F. Councilwoman Green: None

G. Councilman McCormick: None

XIII. Public Comment

- Mr. Ronnie Brannon approached the podium to address the Council regarding a 93-year-old World War II Veteran in the Community.

XIV. Adjournment

Mayor Barley adjourned the meeting at 9:52 p.m.

FREEPORT CITY COUNCIL

Mayor

ATTEST

City Clerk

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